

Western Canada Society to Access Justice

Annual Report 2002

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A Non-Profit Charitable Society (Reg. # 87068 4123 RR0001)

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Message from the Executive Director

The Western Canada Society to Access Justice has made remarkable progress in the last year. We had by year-end 37 clinic locations, 40 teams of lawyers attending those locations and approximately 240 lawyers actively participating, usually once a month, in giving *pro bono* advice at those clinics. We estimate that our lawyers spent approximately 300 hours per month and saw approximately 400 clients per month. In terms of dollars, the in-kind value of our lawyers' services (calculated on an average of \$200 per hour) is approximately \$60,000 per month or \$720,000 dollars per year.

The society has hired a Project Coordinator, Phil Dougan, who had by year's end organized over 40 non-lawyer volunteers to assist in both the client appointment-making process and also assisting lawyers at the clinics. He has also done a lot of work on various society projects and freed up my time to call new lawyers and enroll them in the program. The net result has been both growth in our organization and the quality of the service we provide.

The lawyers love to assist people whose problems are in their own particular field

All this has been done on an income of approximately \$63,000 for the year, virtually all of which has been provided by lawyers and law firms. We have therefore relied entirely on the profession, not only for lawyers' time but for their money.

There is a compelling question behind all this! How can our society produce such remarkable results from such a comparatively small income? Organizations with many times our income have not achieved anything like the social impact that has resulted from our society's work. The answer is that we have discovered a secret! We can demonstrate that if we provide the means for lawyers to help Canadians who are on low income approximately 10%-15% of lawyers will help. The key is to inspire them and even more important to provide the means to help. The lawyers love to assist people whose problems are in their own particular field, whether it be wrongful dismissal, personal injury, human rights, family law, criminal law etc. We provide the specialized clinics, the screening system and organization to meet that end.

Likewise, non-lawyer volunteers, as Phil Dougan has demonstrated, will give of their time and resources generously and consistently if they can see the results of their hard work and there is sufficient organization to ensure that the demands on them are reasonable.

Access Justice has the full support of the courts and bar associations

Not to be forgotten is the support of the Court system. In particular, Chief Justice Brenner has provided our society with the use of a room in the Vancouver Court House and various other resources. We are also very fortunate, in my view, to have a hard working and dedicated Board of Directors, all of whom are busy, practicing lawyers with heavy demands on their time. The key actors are the *pro bono* lawyers, many of whom earn \$300 per hour or more. They will leave their comfortable offices to work at a clinic where they will sit down with clients who often cannot afford twenty-five cents to make a telephone call. In my view, those lawyers are the salt of the Earth. They are the principal reason for our success!

Dugald Christie, B.Sc., LL.B.
Executive Director

Background to Access Justice

The Western Canada Society to Access Justice, known simply as Access Justice, is a non-profit, registered charity with a voluntary board of directors that is dedicated to providing first-class *pro bono* lawyers' assistance to all persons who cannot obtain Legal Aid or cannot afford a lawyer throughout the western provinces of British Columbia, Alberta, Saskatchewan and Manitoba.

Less than 1/10
of needy clients
get legal aid

The purpose of the Access Justice is to relieve poverty in Western Canada by improving access to justice for low-income people and in particular:

- To develop and operate pro bono programs to provide free lawyer services to the poor,
- To research the length of court proceedings and the effect of delays in such proceedings on the poor,
- To educate lawyers, the poor and the public with respect to the need for access to justice for the poor and the means of improving such access,
- To otherwise promote access to justice for the poor

Through the 40 *pro bono* legal advice teams set up by Access Justice, poor people can get free legal advice by a fully qualified volunteer lawyer on a range of criminal, family, immigration and civil issues.

The work of the Western Canada Society to Access Justice in promoting pro bono work is to be very much commended.

Daphne E. Dumont, Q.C.
Past President, Canadian Bar Association

Access Justice has approximately 240 lawyers who volunteer on a regular basis for the *pro bono* legal clinics held at community centers, women's shelters, courthouses, places of worship and friendship centers. The clients are screened to ensure that they cannot get or afford legal assistance from elsewhere. The lawyers keep their own files of the professional advice, ensuring client confidentiality. Most of the clients served in our clinics would be deprived of proper representation without the provision of our programs.

2002 - Year in Review

***Pro Bono* Legal Advice Clinics**

The mission of Access Justice's *pro bono* legal advice clinics is to provide high quality free legal services to low-income persons through volunteer lawyers. The Access Justice *pro bono* program provides a professional setting for lawyers to give approximately 2 hours of their time free each month to help those who cannot obtain lawyer's help elsewhere. We have 40 active clinics and 240 lawyers who volunteer their time each month.

Costs of no access to justice - when people cannot use the legal system to protect their rights or defend their interests, there are costs to the individuals and to society as a whole, including:

- UIC and welfare costs of unemployed persons who suffer from personal injury or other problem for which there is a civil court remedy,
- Costs of safeguarding women who are unable to get legal protection from an abusive spouse,
- Costs of supporting a parent and children when the parent cannot establish and enforce support obligations,
- Costs to society as a whole when marginalized people are unable to obtain justice in the legal system.

Areas of legal advice - client needs drive Access Justice's program. Some areas of legal advice given at clinics are:

- Criminal defense
- Health access and mental health
- Personal injury payable claims
- Family law and domestic violence
- Consumer protection
- Child support, abuse and neglect
- Immigration
- Employment and wrongful dismissal
- Small business
- Housing and government benefits
- "Leaky Condo"
- Civil rights and liberties
- Preparation of simple wills
- Landlord/tenant

Resources are allocated to matters of greatest impact on the client and are capable of legal resolution. The key is to protect the lawyers' time and boundaries and facilitate high professional standards. Access Justice collaborates with various social and charitable agencies to arrange and administer half hour appointments for needy clients with a lawyer qualified to deal with the client's particular problem.

Monitoring and improving our service - the measure of success for a legal services program is the outcome achieved for clients, and the relationship of these outcomes to clients' most critical legal needs. The program has developed some mechanisms for evaluating the quality of service it provides.

We are continually seeking out new and innovative ways to provide service in areas that simply would not have had a *pro bono* clinic otherwise. For example, in most of our clinics, the host agency provides phone and booking services through their own staff but at the Courthouse there is a restriction on staff available to help us administer the clinics. We worked very closely with the Court administrators to implement a 'self-registration' process for clients at the Courthouse clinics. Using an ingenious sticker system that allows clients to choose specific appointment times and dates, the system automatically prevents double-booking or over-booking whilst keeping the administration of several clinics within the capabilities of just a few volunteers.

Advocacy

Canada's legal system is based on the Rule of Law, which holds that governments and individuals are bound by rules which are publicly known and cannot be arbitrarily changed. The Rule of Law is undermined if there is no assistance for the people most in need of protection to use these rules to resolve conflicts. If one party has the benefit of legal counsel and the other party does not due to their financial circumstance, the fairness of the proceeding is called into question. Access Justice's mandate has a strong advocacy component in addressing the administration of justice as it affects low-income persons.

We meet the BC Attorney General twice annually to press for active reductions in the length of trial proceedings. We also published a report recommending reforms to civil procedures and made submissions to the litigation committee (comprised of judges and senior counsel) on the need for quicker proceedings. The *Vancouver Sun* also published an article profiling Access Justice on the need for increased *pro bono* work.

Communications

Access Justice has developed a website (www.accessjustice.ca) which has a calendar system for booking clients and lawyers. We are installing it in our Vancouver clinics.

We have completed two sets of videos to: 1) introduce clients to clinics and inform them how to prepare for their appointment, featuring Chief Justice Brenner, Douglas Robinson, QC, Hamish Cameron, QC, and a professional actress, and; 2) a lawyer promotional video featuring Chief Justice Brenner who gives the introduction. They are available on request.

We published approximately 40 volumes - one for each clinic - of our *Pro Bono* Resource Manuals containing extracts of the Law Students Legal Aid Program manual, the Criminal Code, and the Supreme Court rules.

Staff and Volunteers

In 2002, Access Justice doubled its staffing levels to include both an Administration Manager and a Project Coordinator. The increased staffing has allowed Access Justice considerably more contact with the members of the legal community and has given us a leading position in understanding the needs and problems in the legal system. Close communication with a wide spectrum of lawyers allows Access Justice to be close to the problems, both for our clients and for lawyers - and close to the solutions to those problems.

Our 240 lawyer volunteers, the backbone of Access Justice, are all practicing lawyers and fully insured by the Law Society against possible claims. An increasing number of lawyer volunteers come from large Vancouver law firms.

We have begun to explore the use of the time and energy of non-lawyer volunteers. A tremendous challenge for Access Justice is marketing its services to its intended clients. Since these clients tend to be marginalized in society at large, communicating our message to them must be at 'grass - roots'. Early results are very positive.

Financial Statement

Western Canada Society to Access Justice		
Revenue and Expenditure for the Year Ending December 31, 2002		
Income		
	Cheque donations	\$62,072.01
	Credit card donations	\$1,295.00
	Total Income	\$63,367.01
Expenditure		
	Payroll	\$33,797.38
	Public relations	\$9,136.78
	Office supplies	\$7,030.58
	Miscellaneous	\$6,219.00
	Telus Telecommunications	\$2,625.85
	Computer purchase	\$2,084.28
	Ansun (production of 2 videos)	\$2,068.70
	B&C list (landlord expenses)	\$1,509.55
	Service charges	\$146.25
	Credit card fee	\$42.72
	Total expenditure	\$64,661.09
Year end total		-\$1,294.08

Notes on Finances

In 2002, Access Justice relied entirely on gifts from individual lawyers. The average donation for individual lawyers is approximately \$195. Donations from law firms vary from \$400 to \$2,000.

The program maximizes the level of high quality legal services it provides in relationship to the total amount of funding received.

We intend to seek broader support from funding organizations and foundations in 2003, as well as develop our membership program.

Supporters

We work with a variety of social organizations and volunteers, but rely heavily on corporate and foundation donors for the continued provision of our programs. Several of our supporters are:

- Vancouver Bar
- Borden Ladner Gervais
- Bull, Housser & Tupper
- Campney & Murphy
- Feller Drysdale
- Basham, Thompson & Liu
- Davis & Company
- Dickson, Murray
- Heenan Blaikie
- Brown Benson
- John McAlpine

2002 Board of Directors

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